IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

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)	NO. CIV-06-0637-HE
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Petitioner David Laughlin, a *pro se* state prisoner, instituted this action pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. Pursuant to 28 U.S.C. § 636(b)(1)(B), this matter was referred to Magistrate Judge Bana Roberts, who recommended that the petition for writ of habeas corpus be denied.

Petitioner has not objected to the Report and Recommendation and, therefore, has waived his right to appellate review of the factual and legal issues it addressed. <u>United States v. One Parcel of Real Property</u>, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. § 636(b)(1); LCvR 72.1(a). The court has also considered the merits of the action and substantially concurs with the Magistrate Judge's analysis.

Accordingly, the court **ADOPTS** the Report and Recommendation and **DENIES** the petition for writ of habeas corpus.

IT IS SO ORDERED.

Dated this 111n day of August, 2007.

OE HEATON UNITED STATES DISTRICT JUDGE